

# ACTION PLAN TO TACKLE CHALLENGES WITH E-COMMERCE IMPORTS

*Effective enforcement and a level playing  
field in e-commerce*

Direct e-commerce imports by consumers in the EU have increased significantly and are expected to continue expanding at a rapid rate. According to Commission data, 4.6 billion of low-value products, i.e. items not exceeding EUR 150<sup>1</sup>, entered the EU market, in 2024, which corresponds to 12 million small items per day and almost doubles the figures for 2023 (2.4 billion). The rapid increase in e-commerce imports into the EU raises serious issues, especially when the imported products are unsafe, counterfeit or otherwise not compliant with EU law.

European companies are increasingly disadvantaged by the influx of products imported directly to consumers and other end-users from third-country operators that do not comply with EU safety and regulatory standards. This not only compromises consumer and end-user safety but also creates an uneven playing field, threatening the competitiveness of European businesses, operating under stringent legislative and regulatory frameworks designed to ensure high standards of consumer safety, environmental protection, and fair competition. Without decisive action, these practices risk eroding the foundations of the European regulatory model and the integrity of the Single Market.

To address these challenges, on 5 February, the European Commission published its e-commerce communication<sup>2</sup>, outlining its approach to e-commerce imports and proposing some targeted measures on enforcement, customs and market surveillance. BusinessEurope shares the concerns outlined by the Commission and welcomes the proposed initiatives to address the challenges posed by e-commerce imports but underlines that more urgency to act is needed.

To contribute to the ongoing discussion, **BusinessEurope calls on the EU and Member States to make use of existing instruments and legislation, as well as upcoming measures, and recommends to:**

- ▶ **Advance the Union Customs Code (UCC) reform<sup>3</sup>.** Given the urgency of the issue, the reform should advance without unnecessary delays. In this regard, we urge the co-legislators to

<sup>1</sup> So-called low value consignments, i.e., products with a value up to EUR 150, are currently benefiting from a customs duty exemption.

<sup>2</sup> European Commission (February 2025), [Communication](#) 'A comprehensive EU toolbox for safe and sustainable e-commerce'.

<sup>3</sup> Please see BusinessEurope (October 2023) [position paper](#) on the Union Customs Code Reform.

swiftly adopt the customs reform proposal. At the same time, it is essential to ensure that economic operators are given the necessary tools and a realistic, sufficient timeframe to support the smooth implementation of the new rules. BusinessEurope broadly supports the Commission's customs reform package, including the revision of the Union Customs Code (UCC), the establishment of an EU Customs Data Hub, and the creation of an EU Customs Authority. These measures have the potential to strengthen the EU's capacity to supervise and control goods entering the Single Market, simplify compliance, reduce fraud, and create a level playing field for all businesses. In particular, we support the following customs-related aspects of the e-commerce framework:

- The proposal to **remove the EUR 150 de minimis threshold**, which currently exempts goods from customs duties at import, alongside the introduction of a simplified method for calculating the applicable import duties for low-value goods. Combined with the use of the EU Customs Data Hub, this simplified approach has the potential to help offset a potential increase in administrative costs under the e-commerce regime. It is important that import processes for low-value shipments are structured in a way to ensure that the removal of the de minimis threshold does not lead to delays in the import processes of "regular" shipments. The focus should be on minimising supply chain disruptions while implementing the proposed changes. The removal of the de-minimis should be accompanied by robust support mechanisms and an implementation roadmap to ensure a smooth transition that prevents trade disruptions. In addition to contributing to a more level playing field, the removal of the de minimis threshold will also help address issues such as undervaluation and the illegal splitting of parcels. For the removal of the de minimis threshold to be effective, it should be accompanied by measures that support smooth clearance and improved data sharing – such as expanding the use of IOSS (Import One Stop Shop), including securing IOSS VAT number verification - and piloting enhanced customs-relevant data-sharing programmes to inform the future EU Customs Data Hub. Finally, the specificities of EU-UK trade, particularly in relation to Northern Ireland, should be effectively addressed to ensure that economic operators in the region are not disproportionately overburdened.
- The proposal to make **digital platforms 'deemed importers'**<sup>4</sup> (instead of consumers). Platforms will collect the relevant duty (and VAT), ensure that goods entering the customs territory comply with other EU requirements and provide the data to the customs authorities. This will allow customs authorities to better enforce compliance with relevant EU legislation. Moreover, it should help deter companies from importing unsafe and non-compliant products into the EU. It is important to recognise the diversity of business models within e-commerce, as certain platforms may not have direct access to carry out direct inspections on the products to verify their compliance. Nevertheless, they should strive to get the necessary compliance information. To address these challenges, in consultation with business, the Commission should develop guidelines for economic operators on issues such as customs duty calculation, origin determination, as well as non-fiscal compliance obligations at the border. More importantly, the deemed importer's scope and definition should be clarified. It could potentially encompass not only 'platforms' but also third-country sellers with D2C (Direct to Consumer) and M2C (Manufacturer to Consumer) models, as the concept and enforceability of the deemed importer is tied to the use of the IOSS.
- The proposal to introduce a **handling fee on direct B2C parcels from non-EU countries**. This cost should be clearly disclosed in the price breakdown (e.g. on the package label or the bill). If imposed on the importer, the fee may be absorbed into the overall cost or

---

<sup>4</sup> The Commission and co-legislators should ensure that the concept of 'deemed importers' under the UCC reform is not contradictory or inconsistent with existing EU legislation for products and digital services, such as the Digital Services Act (DSA).

hidden in the importers' costs, thereby removing the financial signal intended to influence consumer behaviour. The Commission should provide further clarity as soon as possible on how this charge will be presented and collected, including whether it will apply equally to postal and express carriers. In addition, it would be desirable for the fee to be reviewed periodically – for example, on an annual basis following appropriate assessments and period for implementation - to ensure that its level is adjusted as needed. An EU-wide measure is important in this area. The introduction of national handling fees would not only fracture the Single Market but could also be very easily circumvented by non-compliant non-European platforms, which would simply have to redirect their logistics flows to neighbouring countries that do not impose such a contribution.

- **Reinforce the sample-based control mechanism** with appropriate processes to assess the risks of products or individual operators. Allowing customs authorities to test one representative sample of parcels from any homogeneous flow would multiply enforcement reach without imposing blanket inspections on legitimate traders. This process should be anchored in strong risk assessments of both operators and products, taking into account the Trust and Check traders' scheme. A centralised risk assessment via the Customs Data Hub would provide more accurate and consistent support for controls together with real-time sharing of test outcomes via the Hub and the trader's right to rebut the presumption. This targeted, risk-based tool would align customs risk management with today's parcel volumes while safeguarding fair treatment and legal certainty for compliant businesses.

► **Ensure coherent, effective and consistent enforcement of relevant legislation**, including Digital Markets Act, Digital Services Act (DSA), New Legislative Framework, including Market Surveillance Regulation (MSR), General Product Safety Regulation, Consumer Protection Cooperation (CPC) Regulation, and Extended Producer Responsibility schemes. Reviewing and simplifying existing legislation could potentially be considered where necessary and appropriate, to ease compliance and ensure that rules are equally enforced for third-country operators. E-commerce practices should be recognised as priority area for better enforcement to guarantee consumer and environmental protection in all online marketplaces, just as it must be ensured in any other distribution channel. In particular, the 'know your business customer' principle under the DSA must be enforced to prevent non-compliant sellers from placing their products on the EU market and aid traceability for counterfeit or dangerous products. Moreover, the Commission must consistently apply its control and sanction options provided for in the DSA. At the same time, the Commission should enhance co-operation with third countries on product compliance in e-commerce.

► **Strengthen efficient enforcement by the European Commission.** An EU-level cross-functional taskforce set up in the Commission with a clear mandate on e-commerce imports by consumers and adequate resources is crucial to strengthen coordination and knowledge sharing between the different Commission services - DG CONNECT, DG JUST, DG GROW, DG TRADE and DG TAXUD -, and to oversee enforcement of all EU rules applying to third country online platforms. Such a taskforce should operate in coordination with relevant stakeholders and other relevant authorities at EU level, such as the upcoming EU Customs Authority or an EU Market Surveillance Authority should it be established. The latter could play a valuable role in enhancing coordination, harmonisation and uniform implementation across all 27 Member States, i.e. to oversee systemic issues, support cross-border cases, and ensure consistent application of EU rules. However, a potential EU Market Surveillance Authority should have only limited powers, and its establishment should not aim to fully centralise market surveillance at the EU level. National authorities must retain and implement core market surveillance responsibilities due to their local market expertise and knowledge of consumer behaviour patterns, and be complemented by a potential EU level authority.



- ▶ **Promote efficient and more harmonised implementation of relevant legislation<sup>5</sup> at national level and encourage cross-border coordination and knowledge-sharing.** Market surveillance must be better coordinated among Member States and with the various regional authorities, equipped with increased economical, technical and human resources and capacities, and based on appropriate risk assessment, taking into account safety and product compliance and environmental standards. Greater harmonisation should be promoted, for example through harmonised guidelines and training, to enable more efficient and harmonised implementation and enforcement of EU legislation at national and regional level. Cooperation between all relevant authorities must be strengthened. The EU should promote the cross-border exchange of best practices that exist at national level and encourage Member States to establish dedicated cross-cutting taskforces consisting of relevant enforcement authorities at national level, as is already the case in some Member States. These should work in close cooperation with the Commission counterpart. Moreover, the Commission should promote more collaboration between market surveillance authorities and European business organisations, with the aim to help supporting compliance and ensuring better and quicker information relevant for market surveillance authorities, as provided for under the EU Market Surveillance Regulation. However, it is crucial to ensure that the policing expectations are not on the company and that private stakeholders are not forced to perform public functions.
- ▶ **Review the Consumer Protection Cooperation (CPC) Regulation** with the aim of strengthening cross-border enforcement, ensuring strong protection for consumers and a level playing field for all traders serving EU consumers regardless of where they are located. Concrete improvements to the CPC framework include, among others:
  - Giving a strong and clearer mandate to the Commission for addressing EU-wide infringements, especially when traders are based outside the EU.
  - Modernising CPC procedural rules as well as harmonising guidance to increase transparency and speed up cases.
  - Setting up a clearer framework at the EU level to further improve collaboration and coordination between authorities and across enforcement domains.
  - Leveraging new technologies and data sharing capabilities for more efficient enforcement.
- ▶ Efficiently enforce and strengthen the existing “responsible person” model for all products placed on the Single Market. To address gaps and limitations in existing legislation and ensure clarity for enforcement authorities, it is necessary to clearly define full legal and financial liability of the “responsible person” of online marketplaces in cases of non-compliance of e-commerce imports across all relevant EU legislation. Focus must remain on strengthening the existing responsible person model through certification of responsible persons, stronger verification and documentation systems and better coordination in market surveillance. Clear and consistent application of existing obligations across EU legislation will provide enforcement certainty while ensuring that consumers are protected from unsafe imports. It is important to ensure that existing product legislation operates to its full potential, if any further extension of liability is to be considered.

---

<sup>5</sup> Priority should be given to strengthening the functioning of existing networks and bodies — including the EU Product Compliance Network (under the MSR), the Consumer Safety Network (under the GPSR), and the CPC Network — rather than creating new ones.

<sup>6</sup> The European business community and consumer representatives (BEUC) made a call to update the existing CPC regulation. See a [joint statement](#) with additional suggestions, and BusinessEurope’s [position paper](#) on the future EU consumer agenda.

- ▶ **Enhance the use of and optimise digital tools** (e.g. web crawlers) to streamline enforcement and strengthen detection of non-compliant products. Furthermore, the cross-border use of digital platforms must become the standard for cooperation; therefore, both the usage of and national participation in the Safety Gate must be strengthened, i.e. to facilitate data exchange between all relevant authorities, improve the identification of potential infringement of EU law and avoid multiple testing of products.
- ▶ **Ensure a level playing field for outermost regions.** Territories that are part of the EU Customs Territory (TAU) but outside the EU VAT area – Mount Athos, the Canary Islands, the French overseas departments, and the Åland Islands – face unfair competition and regulatory gaps in e-commerce. To ensure a level playing field, product safety and prevent fraud and counterfeiting, the principles of the EU's IOSS should be reflected in their local tax systems. This also relates to the Commission's proposals to align VAT and customs rules, under which online marketplaces and IOSS-registered sellers become the 'deemed importer'.



# BUSINESSEUROPE



**BusinessEurope** is the leading advocate for growth and competitiveness at the European level, standing up for companies across the continent and campaigning on the issues that most influence their performance. A recognised social partner, we speak for enterprises of all sizes in 36 European countries whose national business federations are our direct members.



Austria



Belgium



Bulgaria



Croatia



Cyprus



Czech Republic



Denmark



Denmark



Estonia



Finland



France



Germany



Germany



Greece



Hungary



Iceland



Iceland



Ireland



Italy



Latvia



Lithuania



Luxembourg



Malta



Montenegro



Norway



Poland



Portugal



Rep. of San Marino



Romania



Serbia



Slovak Republic



Slovenia



Spain



Sweden



Switzerland



Switzerland



The Netherlands



Türkiye



Türkiye



Ukraine



Ukraine



United Kingdom



Avenue de Cortenbergh 168  
B - 1000 Brussels, Belgium  
Tel: +32(0)22376511 / Fax: +32(0)22311445  
E-mail: [main@businesseurope.eu](mailto:main@businesseurope.eu)

[WWW.BUSINESSEUROPE.EU](http://WWW.BUSINESSEUROPE.EU)

EU Transparency Register 3978240953-79